

Remarks

Reconsideration of this application is respectfully requested.

The Examiner notes that references recited in the specification have not been made part of a proper information disclosure statement (IDS) and that the relevance of the references DE 3113163 and DE 29920285 was not included in a previous IDS. A Supplemental IDS is therefore submitted herewith.

Claim 1 is pending in this application.

Claim 1 was objected to for various informalities addressed in the above amendment.

Claim 1 has been rejected under 35 USC 112, first paragraph, as failing to comply with the written description requirement and for failing to comply with the enablement requirement because of the phrase "predetermined first braking force". Similarly, the specification has been objected to for not providing sufficient antecedent basis for the phrase "predetermined first braking force" in claim 1. Claim 1 has now been amended to remove the term "predetermined".

Claim 1 has also been rejected under 35 USC 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Particularly, the Examiner asserts that the phrase "said braking application force control [system] of said braking system" is indefinite. Claim 1 has now been amended to remove the phrase "of said braking system".

Claim 1 has also been rejected under 35 USC 103(a) as being unpatentable over the prior art in view of US Patent 4,436,348 to Farr (hereinafter Farr) and US Patent 5,246,276 to Pajonk et al (hereinafter Pajonk). It is respectfully submitted that claim 1 as amended distinguishes over the references. More particularly, Farr discloses an antilock braking system that senses when one or more wheels of the

vehicle begin to skid and then adjusts the braking force accordingly. Farr does not disclose or suggest the use of a sensor which detects an operating condition of the implement for purposes of determining whether the implement is in the field or on the road as required by claim 1 as amended. The present invention does not detect wheel speed to determine a skid or spin, but instead detects whether the implement is in field operation or not, and adjusts the braking force accordingly. The Pajonk reference is cited for the premise of a "predetermined" braking force. Because the term "predetermined" has now been deleted from the claim it is submitted that a discussion of the Pajonk reference is not necessary.

In conclusion, it is believed that this application is in condition for allowance, and such allowance is respectfully requested.

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Respectfully,

  
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Attorney for Applicant(s)

W. Michael Dixon  
Reg. No. 37,815  
Patent Department  
Deere & Company  
One John Deere Place  
Moline, IL 61265  
Telephone No. (309) 765-5159

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